

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WILLIAM WERSINGER,)
)
Plaintiff,)
)
v.) C.A. No. 07-262-GMS
)
BANK OF AMERICA CORPORATION,)
)
Defendant.)

STIPULATION OF DISMISSAL

WHEREAS, on May 15, 2007, Plaintiff William Wersinger commenced the above action against Defendant Bank of America Corporation in the United States District Court for the District of Delaware alleging violations of the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201 *et seq.*; and

WHEREAS, Defendant answered the complaint denying all the material allegations contained therein; and

WHEREAS, the Defendant and Plaintiff have reached a written agreement as to the complete and final resolution of this litigation, including, but not limited to, a release of all claims brought under the FLSA against the Defendant;

IT IS HEREBY STIPULATED by and between the parties through their respective counsel that the above-captioned action shall be dismissed with prejudice, and that Plaintiff hereby releases Defendant from any and all claims he has or may have under the FLSA; and

IT IS FURTHER STIPULATED that Plaintiff and Defendant shall bear their own respective costs and attorneys' fees.

/s/ Donald Gouge
Donald L. Gouge, Jr. (I.D. No. 2234)
Heiman, Gouge & Kaufman, LLP
800 King Street
Wilmington, Delaware 19801
Telephone: (302) 658-1800
Facsimile: (302) 658-1473
Email: dgouge@hgkde.com

/s/ Stephen B. Lebau
Stephen B. Lebau, *Pro Hac Vice*
LEBAU & NEUWORTH, LLC
606 Baltimore Avenue – Suite 201
Baltimore, Maryland 21204
Telephone: (410) 296-3030
Email: sl@joblaws.net
Attorneys for Plaintiff

/s/ Scott A. Holt
Sheldon N. Sandler (I.D. No. 245)
Scott A. Holt (I.D. No. 3399)
Young Conaway Stargatt & Taylor, LLP
The Brandywine Building, 17th Floor
1000 West Street
Wilmington, Delaware 19801
Telephone: (302) 571-6673; 571-6623
Facsimile: (302) 576-3330; 576-3299
Email: ssandler@ycst.com; sholt@ycst.com
Attorneys for Defendant

SO ORDERED this _____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE